

Department of the Air Force, DoD

§ 935.15

- 935.153 Unexploded ordnance material.
- 935.154 Boat operations.
- 935.155 Floating objects.

AUTHORITY: Sec. 48, Act of 12 July 1960; 74 Stat. 424; Pub. L. 86-624; E.O. 11048, Sept. 1, 1962, 27 FR 8851 and agreement between the Department of Interior and Department of the Air Force dated 19 June 1972, 37 FR 12255.

SOURCE: 37 FR 12384, June 23, 1972, unless otherwise noted.

Subpart A—General

§ 935.1 Applicability.

(a) The local civil and criminal laws of Wake Island consist of this part and applicable provisions of the laws of the United States.

(b) For the purposes of this part, Wake Island includes Wake, Peale, and Wilkes Islands, and the appurtenant reefs, shoals, shores, bays, lagoons, keys, territorial waters, and superadjacent airspace of them.

§ 935.3 Purpose.

The purpose of this part is to provide—

- (a) For the civil administration of Wake Island;
- (b) Civil laws for Wake Island not otherwise provided for;
- (c) Criminal laws for Wake Island not otherwise provided for;
- (d) A judicial system for Wake Island not otherwise provided for.

§ 935.5 Definitions.

In this part—

- (a) *General Counsel* means the General Counsel of the Air Force or his successor in office.
- (b) *Commander* means the Commander, Wake Island Air Force Base or a successor in command at Wake Island.
- (c) *He* includes the masculine or feminine gender.
- (d) *Judge* includes judges of the Wake Island Court and Court of Appeals.

§ 935.7 Effective date.

This part is effective at 0000 June 25, 1972.

Subpart B—Executive Authority

§ 935.11 Designation and delegation of authority.

The executive authority at Wake Island is vested in the Secretary of the Air Force. This authority is hereby delegated to the General Counsel of the Air Force with authority to redelegate all or any part of his functions, powers, and duties under this part to such officers and employees of the Air Force as he may designate. The Commander, Wake Island Air Force Base is the agent of the Secretary, his delegate and designees in carrying out any function, power or duty under this part.

§ 935.13 Permits.

Permits in effect on the effective date of this part continue in effect until revoked or rescinded by the Commander. The Commander may issue island permits or registration for:

- (a) Businesses, including any trade, profession, calling, or occupation, and any establishment where food or beverages are prepared, offered, or sold for human consumption.
- (b) Self-propelled motor vehicles, except aircraft; including attached trailers.
- (c) Vehicle operators.
- (d) Boats.
- (e) Dogs.
- (f) Food handlers.
- (g) Explosives and guns and pistols (including those operated by air, gas, or spring).
- (h) Drugs, narcotics, and poisons.
- (i) Construction.
- (j) Burials.
- (k) Any permit or registration issued pursuant to Air Force regulations or directives as applicable to Wake Island Air Force Base shall constitute a permit or registration under this section, and no other permit or registration shall be required.

§ 935.15 Functions, powers, and duties.

The Commander may:

- (a) Appoint Peace Officers;
- (b) Direct the abatement of any public nuisance upon failure of any person to comply with a notice of removal;